IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

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WRIT PETITION NO : 29759 of 1995

Between:

Smt. Illa Satvathi W/o Chandranna, Hindu,
aged about 60 years, R/o Sivala Village,
Pamarru Mandal, East Godavari District.

..... PETITIONER

AND

1 The Revenue Divisional Officer,
Rajahmundry, East Godavari District.
2 The Mandal Revenue Officer,
Pamarru, East Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate writ, declaring the action of the respondents in trying to demolish the thatched house of the petitioner in S.No.89 of an extent of Ac.0-03 cents situated at Sivala Village, Pamarru Mandal, East Godavari District as illegal, arbitrary and void and for a consequential direction directing the respondents to grant patta to the petitioner forthwith to the above said thatched house.

Counsel for the Petitioner: MR.N.SIVA REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR REVENUE

The Court made the following:

O R D E R:

The petitioner approached this Court invoking its extraordinary jurisdiction under Article 226 of the Constitution of India apprehending summary demolition of the thatched house and her dispossession from the land admeasuring Ac.0-03 cents, situated in Survey No.89 of Sivala village, Pamarru Mandal of East Godavari District.

The case of the petitioner is that the land under her occupation, in which she constructed a thatched house, is situated in a Poramboke, which vest in Sivala Grampanchayath, in respect of which the respondents have no jurisdiction whatsoever. It is alleged that the Mandal Revenue Officer, Pamarru directed the Village Administrative Officer to demolish the thatched house and take possession of the land without putting the petitioner on any notice whatsoever.

I am not inclined to express any opinion whatsoever as to whether the land in Survey No.89 admeasuring Ac.0-03 cents is situated in a Poramboke or the same belongs to the Government. Suffice it to hold that the petitioner cannot be dispossessed from the land and the thatched house without putting her on notice

and following the proper procedure.

In the result, the writ petition is disposed of directing the respondents herein not to dispossess the petitioner from the land in question admeasuring Ac.0-03 cents and also not to demolish her thatched house, situated in Survey No.89, in Sivala village, without following the proper procedure and putting the petitioner on notice.

The writ petition is accordingly disposed of without any order as to costs.

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B.SUDERSHAN REDDY, J.

Dated: 25-11-2004

GS/PV

To

1. The Revenue Divisional Officer,
   Rajahmundry, East Godavari District.

2. The Mandal Revenue Officer,
   Pamarru, East Godavari District.

3. Two C.C.s to the G.P. for Revenue, High Court of A.P.,
Hyderabad (O.U.T)

4. Two C.D. copies